

**United States Bankruptcy Court
For the Eastern District of Texas
Beaumont Division**

| | |
|--------------|------------------------|
| IN RE: |) Case No. 00-12065-BP |
| |) |
| DALE L. CUDD |) |
| |) |
| Debtor(s) |) Chapter 7 |

Trustee's Final Report, Application for Compensation,
and Report of Proposed Distribution

Daniel J. Goldberg, the Trustee of the estate of the above named debtor(s), certifies under penalty of perjury, to the Court and United States Trustee, that the trustee has faithfully and properly fulfilled the duties of his office, that the trustee has examined all proofs of claim as appropriate in preparation for the proposed distribution, and that the proposed distribution attached hereto is proper and consistent with the law and rules of the Court. The Trustee applies for the commissions and expenses set forth herein and states that they are reasonable and proper.

I hereby authorize the Office of the United States Trustee to file by electronic means this Trustee's Final Report, Application for Compensation and Report of Proposed Distribution on my behalf, and I agree and acknowledge that the designation of my signature on this document, once filed, constitutes my valid signature for the purposes of 11 U.S.C. §704(9) and Fed. R. Bankr. Pro. 9011.

Therefore, the Trustee requests that the Final Report, Application for Compensation, and Report of Proposed Distribution be approved.

Date: November 5, 2004

/S:/DANIEL J. GOLDBERG

Daniel J. Goldberg, Trustee

**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF TEXAS
BEAUMONT DIVISION**

IN RE:

CUDD, DALE L.

DEBTOR(S)

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CASE NO. 00-12065

CHAPTER 7

**TRUSTEE'S FINAL REPORT, APPLICATION FOR COMPENSATION AND REPORT OF
PROPOSED DISTRIBUTION**

Daniel Jacob Goldberg, the Trustee of the estate of the above-named Debtor, hereby certifies under penalty of perjury, to the Court and to the United States Trustee that the Trustee has faithfully and properly fulfilled the duties of his office, that the Trustee has examined all proofs of claim as appropriate in preparation for the proposed distribution, and that the proposed distribution attached herewith is proper and consistent with the law and rules of the Court. The Trustee hereby applies for the commissions and expenses set forth herein and states that they are reasonable and proper.

Wherefore, the Trustee respectfully requests that the Final Report, Application for Compensation, and Report of Proposed Distribution be approved.

Date: November 5, 2004

/s:/ DANIEL JACOB GOLDBERG

Daniel Jacob Goldberg, Trustee

REVIEWED BY THE UNITED STATES TRUSTEE

I have reviewed the Trustee's Final Report, Application for Compensation, and Report of Proposed Distribution.

United States Trustee

Date: _____

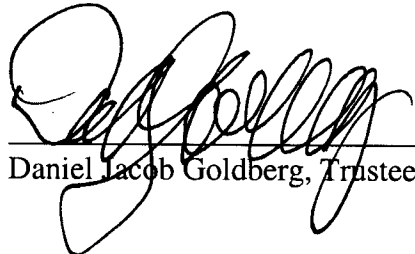
By: _____

THE STATE OF TEXAS

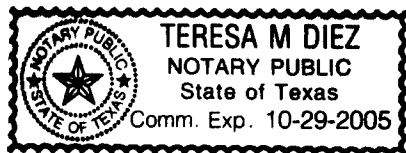
COUNTY OF HARRIS

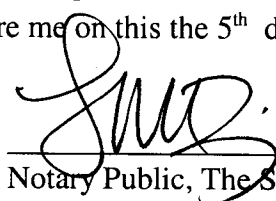
BEFORE ME, the undersigned authority on this date personally appeared Daniel Jacob Goldberg, and under oath stated the following:

"I, Daniel Jacob Goldberg, am the duly appointed Trustee in CUDD, DALE L. bankruptcy proceeding. I am hereby making application for the maximum amount of Trustee fees, as it is my opinion that the maximum amount was earned by me in carrying out my duties as Trustee. I held the 341(a) meeting, reviewed additional documents provided at my request, and collected assets. I reviewed claims and filed objections to claims. I monitored the estate, and had numerous conferences and correspondence with the debtor's attorney. I further hired special counsel to file an adversary proceeding in this case, monitored the progress of the proceeding, and consulted with special counsel on settlement of the adversary proceeding. Further, I performed all other numerous duties of a Trustee, including, but not limited to, Preparing Trustee's Final Report, will make disbursements and will prepare the Supplemental Final Report.


Daniel Jacob Goldberg, Trustee

SWORN TO AND SUBSCRIBED TO before me on this the 5th day of November 2004.




Notary Public, The State of Texas

**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF TEXAS
BEAUMONT DIVISION**

IN RE:

CUDD, DALE L.

DEBTOR(S)

§
§
§
§
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§

CASE NO. 00-12065

CHAPTER 7

**TRUSTEE'S FINAL REPORT, APPLICATION FOR COMPENSATION AND APPLICATION
TO CLOSE CASE AND DISCHARGE TRUSTEE**

The Trustee of the estate presents the following final report:

1. The Trustee applies for commissions and expenses set forth herein: That they are reasonable and proper; that in the course of the performance of duties, the Trustee has advanced monies from personal funds for expenses, and that the Trustee has not been reimbursed or indemnified.
2. The Trustee submits Schedule F as a summary of the assets and estate property record. Any property scheduled under 11 U.S.C § 554(c).
3. The Trustee has reduced all assets of this estate to case or otherwise lawfully disposed of them and the estate is ready to be closed.
4. The Trustee submits Schedule A as the account of estate case receipts and disbursements.
5. There is no agreement or understanding between the Trustee and any other person for a division of the compensation sought by this application except as permitted by the Bankruptcy Code.
6. The Trustee requests approval of this final report.
7. The Trustee has examined each and every claim filed and noted his approval of claims as filed, or he has filed objections to allowance or requests for reclassification.
8. The Trustee further requests that the after final distribution of all monies in accordance with the Trustee's Report of Final Distribution, and upon filing of a Supplemental Final Report and Account and certification by the U.S. Trustee, the Trustee be discharged from office and that the case be closed.

I declare under penalty of perjury that this Report and attached Schedules are true and correct to the best of my knowledge and belief.

Date: November 5, 2004

/s:/ DANIEL JACOB GOLDBERG

Daniel Jacob Goldberg, Trustee

Case Name: **CUDD, DALE L.**
Case Number: **00-12065**

Final Report as of: November 4, 2004

SCHEDULE A-1

| | |
|-------------------------|----------------|
| A. Receipts | \$6,406.88 |
| B. Disbursements | |
| 1. Secured Creditors | \$0.00 |
| 2. Administrative | \$1,783.45 |
| 3. Priority | \$0.00 |
| 4. Other | \$0.00 |
| TOTAL DISBURSEMENTS | \$1,783.45 |
| BALANCE ON HAND: | \$4,623.43 |

FORM 1
INDIVIDUAL ESTATE PROPERTY RECORD AND REPORT
ASSET CASES

Page No: 1

Case No.: 00-12065
Case Name: CUDD, DALE L.
For the Period Ending: 11/4/2004

Trustee Name: Daniel Jacob Goldberg
Date Filed (f) or Converted (c): 11/02/2000 (f)
§341(a) Meeting Date: 12/22/2000
Claims Bar Date: 12/02/2002

| 1 | 2 | 3 | 4 | 5 | 6 |
|---|-----------------------------------|--|---|--|--|
| Asset Description (Scheduled and Unscheduled (u) Property) | Petition/ Unscheduled Value | Estimated Net Value (Value Determined by Trustee, Less Liens, Exemptions, and Other Costs) | Property Abandoned OA = § 554(a) abandon. DA = § 554(c) abandon. | Sales/Funds Received by the Estate | Asset Fully Administered (FA) Gross Value of Remaining Assets |
| Ref. # | | | | | |
| 1 | | | | | |
| Being 0.980 acre of land, more or less, out of and a part of teh M Peveto Survey, Abstract No. 419 in Hardin County, Texas, and being the same property conveyed to Dale L. Cudd by deed of record in Vol. 1108, page 842 of the Official Public Records of Hardin County, Texas. This tract is commonly known as 31995 Highway 69 South, Lumberton, Texas, and comprises debtor's homestead including improvements | \$190,000.00 | | | \$0.00 | FA |
| Asset Notes: claimed exempt | | | | | |
| 2 | | | | | |
| cash on hand | \$100.00 | \$100.00 | | \$100.00 | FA |
| 3 | | | | | |
| Hibernia National Bank - \$500 Wells Fargo - \$800 | \$1,300.00 | \$1,300.00 | | \$1,299.98 | FA |
| 4 | | | | | |
| household goods and furnishings (see exhibit A) | \$15,090.00 | \$0.00 | | \$0.00 | FA |
| Asset Notes: claimed exempt | | | | | |
| 5 | | | | | |
| Wearing apparel | \$500.00 | \$0.00 | | \$0.00 | FA |
| Asset Notes: claimed exempt | | | | | |
| 6 | | | | | |
| jewelry | \$75.00 | \$0.00 | | \$0.00 | FA |
| Asset Notes: claimed exempt | | | | | |
| 7 | | | | | |
| firearms and sports, etc. equipment (See exhibit A) | \$350.00 | \$0.00 | | \$0.00 | FA |
| Asset Notes: claimed exempt | | | | | |
| 8 | | | | | |
| 1995 Dodge Pickup | \$11,000.00 | \$0.00 | | \$0.00 | FA |
| Asset Notes: claimed exempt | | | | | |
| 9 | | | | | |
| office equipment, furnishings and supplies (See exhibit B) | \$9,290.00 | \$0.00 | | \$0.00 | FA |
| Asset Notes: claimed exempt | | | | | |

FORM 1
INDIVIDUAL ESTATE PROPERTY RECORD AND REPORT
ASSET CASES

Page No: 2

Case No.: 00-12065
Case Name: CUDD, DALE L.
For the Period Ending: 11/4/2004

Trustee Name: Daniel Jacob Goldberg
Date Filed (f) or Converted (c): 11/02/2000 (f)
§341(a) Meeting Date: 12/22/2000
Claims Bar Date: 12/02/2002

| 1 | 2 | 3 | 4 | 5 | 6 |
|--|-----------------------------------|--|---|---|---|
| Asset Description (Scheduled and Unscheduled (u) Property) | Petition/ Unscheduled Value | Estimated Net Value (Value Determined by Trustee, Less Liens, Exemptions, and Other Costs) | Property Abandoned OA=§ 554(c) abandon. DA=§ 554(c) abandon. | Sale/Funds Received by the Estate | Asset Fully Administered (FA)/ Gross Value of Remaining Assets |
| 10 Machinery, fixtures, equipment and supplies used in business (see Exhibit "B") This is part of Item #26 on Sch. B valued at \$9,290) | \$0.00 | \$0.00 | | \$0.00 | FA |
| Asset Notes: claimed exempt | | | | | |
| 11 chain saw \$100; weed eater \$50; miscellaneous hand and yard tools \$225 | \$375.00 | \$0.00 | | \$0.00 | FA |
| Asset Notes: claimed exempt | | | | | |
| 12 Interest in judgment against Floyd Harris who filed a Ch. 7 bankruptcy June, 2000 | \$50,000.00 | \$0.00 | OA | \$0.00 | FA |
| Asset Notes: Judgment Debtor filed Chapter 7. | | | | | |
| 13 Potential Claim against Dale Cudd, Sr. (Cause No. D-162,020; Glenn O. Cudd and Dale L. Cudd v. Floyd Harris and Cuddarris Industrial Services, Inc.) Suit on Contract. 136th District Court, Jefferson County, Texas. | (u) \$0.00 | \$6,000.00 | | \$5,000.00 | FA |
| Asset Notes: Attorney, Christian Sternat hired to represent Trustee. Application to Settle for \$5,000 pending. | | | | | |
| 14 51% ownership of Cudd Enterprises, Inc. d/b/a Prestige Motors. Sole proprietor of 4 x 4 Unlimited | Unknown | \$1,400.00 | OA | \$0.00 | FA |
| 15 Books and pictures (see exhibit "A". This is part of Item #4 on Sch B valued at \$15,090) | \$0.00 | \$0.00 | | \$0.00 | FA |
| Asset Notes: Claimed Exempt | | | | | |
| 16 VOID | \$0.00 | \$0.00 | | \$0.00 | FA |
| INT Interest Earned | Unknown | Unknown | | \$6.90 | FA |

TOTALS (Excluding unknown value)

\$8,800.00

\$6,406.88

Gross Value of Remaining Assets \$0.00

Major activities affecting case closing:

Adversary filed by Christian Sternat.
Settlement discussions are pending.

FORM 1
INDIVIDUAL ESTATE PROPERTY RECORD AND REPORT
ASSET CASES

Page No: 3

Case No.: 00-12065
Case Name: CUDD, DALE L.
For the Period Ending: 11/4/2004

Trustee Name: Daniel Jacob Goldberg
Date Filed (f) or Converted (c): 11/02/2000 (f)
§341(a) Meeting Date: 12/22/2000
Claims Bar Date: 12/02/2002

| 1 | 2 | 3 | 4 | 5 | 6 |
|--|-----------------------------------|--|---|--|---|
| Asset Description (Scheduled and Unscheduled (u) Property) | Petition/ Unscheduled Value | Estimated Net Value (Value Determined by Trustee, Less Liens, Exemptions, and Other Costs) | Property Abandoned OA=§ 554(a) abandon. DA=§ 554(c) abandon. | Sales/Funds Received by the Estate | Asset Fully Administered (FA)/ Gross Value of Remaining Assets |
| | | | | | |

Initial Projected Date Of Final Report (TFR): 06/30/2002

Current Projected Date Of Final Report (TFR): 12/31/2004

FORM 2 **CASH RECEIPTS AND DISBURSEMENTS RECORD**

Page No: 1

Case No. 00-12065
Case Name: CUDD, DALE L.
Taxpayer ID #: Z6-6196604
For Period Beginning: 11/2/2000
For Period Ending: 11/4/2004

Trustee Name: Daniel Jacob Goldberg
Bank Name: Sterling Bank
Checking Acct #: 8010012065
Account Title: Cudd, Dale L.
Blanket bond (per case limit): \$300,000.00
Separate bond (if applicable):

| 1 | 2 | 3 | 4 | 5 | 6 | 7 | |
|------------------|-----------------|---------------------------------------|---|-------------------|------------|-----------------|------------|
| Transaction Date | Check or Ref. # | Paid to/ Received From | Description of Transaction | Uniform Tran Code | Deposit \$ | Disbursement \$ | Balance |
| 10/15/2004 | | Transfer From Acct#8020012065 | Per Order EOD 9/17/2004 | 9999-000 | \$1,783.45 | | \$1,783.45 |
| 10/15/2004 | 1 | Christian M. Sternal | Per Order EOD 9/17/04 Fees: \$1,500 / Expenses: \$283.45 | * | | \$1,783.45 | \$0.00 |
| | | | \$(1,500.00) | 3210-600 | | | \$0.00 |
| | | | \$(283.45) | 3220-610 | | | \$0.00 |
| 11/03/2004 | | Transfer From: Dale Cudd # 8020012065 | Transfer to Close Account | 9999-000 | \$4,623.43 | | \$4,623.43 |

| | | | |
|---------------------------|------------|------------|------------|
| TOTALS: | \$6,406.88 | \$1,783.45 | \$4,623.43 |
| Less: Bank transfers/CDs | \$6,406.88 | \$0.00 | |
| Subtotal | \$0.00 | \$1,783.45 | |
| Less: Payments to debtors | \$0.00 | \$0.00 | |
| Net | \$0.00 | \$1,783.45 | |

For the period of 11/2/2000 to 11/4/2004

Total Compensable Receipts: \$0.00
Total Non-Compensable Receipts: \$0.00
Total Comp/Non Comp Receipts: \$0.00
Total Internal/Transfer Receipts: \$6,406.88

Total Compensable Disbursements: \$1,783.45
Total Non-Compensable Disbursements: \$0.00
Total Comp/Non Comp Disbursements: \$1,783.45
Total Internal/Transfer Disbursements: \$0.00

For the entire history of the account between 10/15/2004 to 11/4/2004

Total Compensable Receipts: \$0.00
Total Non-Compensable Receipts: \$0.00
Total Comp/Non Comp Receipts: \$0.00
Total Internal/Transfer Receipts: \$6,406.88

Total Compensable Disbursements: \$1,783.45
Total Non-Compensable Disbursements: \$0.00
Total Comp/Non Comp Disbursements: \$1,783.45
Total Internal/Transfer Disbursements: \$0.00

FORM 2

CASH RECEIPTS AND DISBURSEMENTS RECORD

Page No: 2

Case No. 00-12065
Case Name: CUDD, DALE L.
Taxpayer ID #: 76-6196604
For Period Beginning: 11/2/2000
For Period Ending: 11/4/2004

Trustee Name: Daniel Jacob Goldberg
Bank Name: Sterling Bank
Money Market Acct #: 8020012065
Account Title: Dale Cudd
Blanket bond (per case limit): \$300,000.00
Separate bond (if applicable): \$0.00

| 1 | 2 | 3 | 4 | 5 | 6 | 7 | |
|------------------|-----------------|---|--|-------------------|------------|-----------------|------------|
| Transaction Date | Check or Ref. # | Paid to/ Received From | Description of Transaction | Uniform Tran Code | Deposit \$ | Disbursement \$ | Balance |
| 04/05/2004 | (13) | Offerman & King, LLP | CK #1225 (Glenn Cudd) | 1149-000 | \$5,000.00 | | \$5,000.00 |
| 04/06/2004 | {2} | Dale Cudd c/o Griffin & Matthews | CK #1254 | * | \$466.66 | | \$5,466.66 |
| | {3} | | | 1129-000 | | | \$5,466.66 |
| | | | \$366.66 | 1129-000 | | | \$5,466.66 |
| 04/30/2004 | (INT) | Sterling Bank | Interest Earned For April | 1270-000 | \$0.69 | | \$5,467.35 |
| 05/10/2004 | (3) | Dale L. Cudd | CK #1272 (2nd of 3rd Payment) | 1129-000 | \$466.66 | | \$5,934.01 |
| 05/28/2004 | (INT) | Sterling Bank | Interest Earned For May | 1270-000 | \$0.98 | | \$5,934.99 |
| 06/08/2004 | (3) | Dale L. Cudd | CK #1285 | 1129-000 | \$466.66 | | \$6,401.65 |
| 06/30/2004 | (INT) | Sterling Bank | Interest Earned For June | 1270-000 | \$1.03 | | \$6,402.68 |
| 07/30/2004 | (INT) | Sterling Bank | Interest Earned For July | 1270-000 | \$1.09 | | \$6,403.77 |
| 08/31/2004 | (INT) | Sterling Bank | Interest Earned For August | 1270-000 | \$1.09 | | \$6,404.86 |
| 09/30/2004 | (INT) | Sterling Bank | Interest Earned For September | 1270-000 | \$1.05 | | \$6,405.91 |
| 10/15/2004 | | Transfer To Acct#8010012065 | Per Order EOD 9/17/2004 | 9999-000 | | \$1,783.45 | \$4,622.46 |
| 10/29/2004 | (INT) | Sterling Bank | Interest Earned For October | 1270-000 | \$0.92 | | \$4,623.38 |
| 11/03/2004 | (INT) | Sterling Bank | Account Closing Interest As Of 11/3/2004 | 1270-000 | \$0.05 | | \$4,623.43 |
| 11/03/2004 | | Transfer To: Cudd, Dale L. # 8010012065 | Transfer to Close Account | 9999-000 | | \$4,623.43 | \$0.00 |

SUBTOTALS

\$6,406.88

\$6,406.88

CASH RECEIPTS AND DISBURSEMENTS RECORD

Case No. 00-12065
 Case Name: CUDD, DALE L.
 Taxpayer ID #: 76-6196604
 For Period Beginning: 11/2/2000
 For Period Ending: 11/4/2004

Trustee Name: Daniel Jacob Goldberg
 Bank Name: Sterling Bank
 Money Market Acct #: 8020012065
 Account Title: Dale Cudd
 Blanket bond (per case limit): \$300,000.00
 Separate bond (if applicable):

| 1 | 2 | 3 | 4 | | 5 | 6 | 7 |
|------------------|-----------------|------------------------|----------------------------|-------------------|------------|-----------------|---------|
| Transaction Date | Check or Ref. # | Paid to/ Received From | Description of Transaction | Uniform Tran Code | Deposit \$ | Disbursement \$ | Balance |

TOTALS: \$6,406.88 \$6,406.88 \$0.00
 Less: Bank transfers/CDs \$0.00 \$6,406.88
 Subtotal \$6,406.88 \$0.00
 Less: Payments to debtors \$0.00 \$0.00
 Net \$6,406.88 \$0.00

For the period of 11/2/2000 to 11/4/2004

For the entire history of the account between 04/05/2004 to 11/4/2004

Total Compensable Receipts: \$6,406.88
 Total Non-Compensable Receipts: \$0.00
 Total Comp/Non Comp Receipts: \$6,406.88
 Total Internal/Transfer Receipts: \$0.00

Total Compensable Receipts: \$6,406.88
 Total Non-Compensable Receipts: \$0.00
 Total Comp/Non Comp Receipts: \$6,406.88
 Total Internal/Transfer Receipts: \$0.00

Total Compensable Disbursements: \$0.00
 Total Non-Compensable Disbursements: \$0.00
 Total Comp/Non Comp Disbursements: \$0.00
 Total Internal/Transfer Disbursements: \$6,406.88

Total Compensable Disbursements: \$0.00
 Total Non-Compensable Disbursements: \$0.00
 Total Comp/Non Comp Disbursements: \$0.00
 Total Internal/Transfer Disbursements: \$6,406.88

FORM 2
CASH RECEIPTS AND DISBURSEMENTS RECORD

Case No. 00-12065
Case Name: CUDD, DALE L.
Taxpayer ID #: 76-6196604
For Period Beginning: 11/2/2000
For Period Ending: 11/4/2004

Trustee Name: Daniel Jacob Goldberg
Bank Name: Sterling Bank
Money Market Acct #: 8020012065
Account Title: Dale Cudd
Blanket bond (per case limit): \$300,000.00
Separate bond (if applicable):

| 1 | 2 | 3 | 4 | 5 | 6 | 7 | |
|------------------|-----------------|---------------------------|----------------------------|-------------------|------------|-----------------|---------|
| Transaction Date | Check or Ref. # | Paid to/ Received From | Description of Transaction | Uniform Tran Code | Deposit \$ | Disbursement \$ | Balance |

| TOTAL - ALL ACCOUNTS | NET DEPOSITS | DISBURSEMENTS | NET | ACCOUNT BALANCES |
|----------------------|--------------|---------------|-----|------------------|
| | \$6,406.88 | \$1,783.45 | | \$4,623.43 |

For the period of 11/2/2000 to 11/4/2004

Total Compensable Receipts: \$6,406.88
Total Non-Compensable Receipts: \$0.00
Total Comp/Non Comp Receipts: \$6,406.88
Total Internal/Transfer Receipts: \$6,406.88

Total Compensable Disbursements: \$1,783.45
Total Non-Compensable Disbursements: \$0.00
Total Comp/Non Comp Disbursements: \$1,783.45
Total Internal/Transfer Disbursements: \$6,406.88

For the entire history of the case between 11/02/2000 to 11/4/2004

Total Compensable Receipts: \$6,406.88
Total Non-Compensable Receipts: \$0.00
Total Comp/Non Comp Receipts: \$6,406.88
Total Internal/Transfer Receipts: \$6,406.88

Total Compensable Disbursements: \$1,783.45
Total Non-Compensable Disbursements: \$0.00
Total Comp/Non Comp Disbursements: \$1,783.45
Total Internal/Transfer Disbursements: \$6,406.88

**UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF TEXAS
BEAUMONT DIVISION**

In Re:

Dale L. Cudd

Bankruptcy Case: 00-12065 bp
Chapter 7

Debtor(s):

BILL OF COURT COSTS

**TO: Daniel Goldberg
2 Riverway, Suite 700
Houston, TX 77056-1918**

Notice is hereby given that court costs (and deferred adversary filing fees, if applicable) are now due pursuant to 28 USC Section 1930, in the above case in the amount of **\$150 (Total Amount)**

These costs are itemized as follows

NOTICES

\$0.25 per notice in excess of 50 notices mailed prior to 1/1/87. --

\$0 (Prior to 1/1/87)

\$0.50 per notice for all notices mailed after to 1/1/87. --

\$0 (After 1/1/87)

NOTE: For Chapter 7 cases filed after 12/1/92, there will be NO NOTICE FEES.
(Do Not Bill for \$0.50 per notice)

NOTE: For all other Chapters filed after 1/1/98, there will be NO NOTICE FEES.
(Do Not Bill for \$0.50 per notice)

PROCESSING CLAIMS

NOTE: The fee of \$0.25 for clerical processing of each claim in excess of 10 in.
cases filed under the Act or Code has been eliminated

DEFERRED ADVERSARY FILING FEES

**1(Deferred Adversaries) Chapter 7 Adversary Proceeding(s) filed @ \$120.00/\$150.00 each.
\$150**

TOTAL AMOUNT DUE

\$150

Check to be made payable to Clerk, U.S. Bankruptcy Court

Date: **November 4, 2004**

JAMES D. TOKOPH
Clerk of Court

BY: _____ /s/ Sandy Morris
Deputy Clerk

—

EOD

09/17/2004

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF TEXAS
BEAUMONT DIVISION**

IN RE:

DALE L. CUDD,

DEBTOR

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CASE NUMBER: 00-12065
(CHAPTER 7)

ORDER ALLOWING COMPENSATION

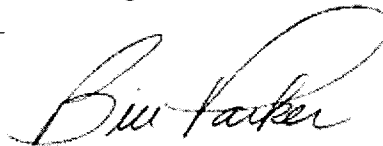
CAME ON FOR CONSIDERATION, the Application for Compensation and Reimbursement of Expenses of Christian M. Sternat. After consideration of the motion and responses thereto, if any, this Court has concluded that the Application provides sufficient factual basis in accordance with the criteria set forth in *In Re: First Colonial Corporation of America*, 544 F. 2d 1291 (5th Cir. 1977), to warrant granting compensation and reimbursement. It is therefore:

ORDERED that Christian M. Sternat, Attorney at Law, be awarded an allowance of attorney's fees and expenses in the sum of \$1,500.00, together with reimbursement of expenses in the sum of \$283.45.

IT IS FURTHER ORDERED that Daniel J. Goldberg, the Chapter 7 Trustee in this case, shall pay to Christian M. Sternat the sum of 1,783.45 as an administrative expense in accordance with 11 U.S.C. §507(a)(1).

SIGNED this _____ day of _____

Signed on 9/17/2004



Honorable Bill Parker, Judge,
United States Bankruptcy Court

APPROVED BY:



Christian M. Sternat
Attorney at Law
TBA # 19175730
2190 North Loop West, Suite 101
Houston, TX 77018
(713) 686-6961
Fax No. (713) 686-2140

SCHEDULE B

APPLICATION FOR COMPENSATION

Case Name: **CUDD, DALE L.**

Case Number: **00-12065**

COMPUTATION OF COMMISSIONS

| | | | | | |
|------------------------------|----|---------------|----------------------------|----|-------------------|
| Receipts | \$ | 6,406.88 | 25.00% of First \$5,000.00 | \$ | 1,250.00 |
| Less | | -\$5,000.00 | (\$1,250.00 Max) | | |
| Balance | \$ | 1,406.88 | 10.00% of Next \$45,000.00 | \$ | 140.69 |
| Less | | -\$45,000.00 | (\$4,500.00 Max) | | |
| Balance | \$ | 0.00 | 5.00% of Next \$950,000.00 | \$ | 0.00 |
| Less | | -\$950,000.00 | (\$47,500.00 Max) | | |
| Balance | \$ | 0.00 | 3.00% of Balance | \$ | 0.00 |
| TOTAL COMPENSATION REQUESTED | | | | | <hr/> \$ 1,390.69 |

TRUSTEE EXPENSES:

| | |
|-----------|----------|
| Copies | \$79.75 |
| Fax | \$18.50 |
| Phone | \$0.50 |
| Postage | \$22.21 |
| CMRRR | \$10.68 |
| Clerical | \$275.00 |
| Paralegal | \$260.00 |

Total Unreimbursed Expenses: **\$666.64**

RECORDS: X Trustee did not take possession of business of personal records of Debtor.
Notice given Debtor on _____ to pick up business or personal records in hands of Trustee.

Ross, Banks, May, Cron & Cavin, P.C.
**Clerical &
Paralegal Time**

CH. 7 TRUSTEE - DANIEL J. GOLDBERG

November 4, 2004

Case # 00-12065

Re: CUDD, DALE L.
CUDDARRIS INDUSTRIAL SERVICES
4+4 UNLIMITED

| DATE | ATTY | DESCRIPTION | HOURS | AMOUNT |
|-----------|------|--|-------|--------|
| Nov-17-00 | KM | Open bankruptcy file and enter information in bankruptcy system and firm's system. | 0.30 | 7.50 |
| Dec-18-00 | KM | Organize file for meeting of creditors, print trustee reports. | 0.30 | 7.50 |
| Dec-22-00 | KM | Enter assets in bankruptcy program. | 0.20 | 5.00 |
| Dec-28-00 | KM | Organize 341 reports and make copies and file document with Court. | 0.30 | 7.50 |
| Feb-16-01 | KM | Call from Christian Sternat on Texas Development Co. (landlord) and deadline to file Objection Discharge is Tuesday. | 0.20 | 5.00 |
| Jan-16-02 | TMD | Draft application to employ Christian Sternat, Affidavit, and Order for filing with Court. Mail affidavit to Sternat for his execution. | 0.60 | 15.00 |
| Feb-04-02 | TMD | Receive affidavit of Christian Sternat; make copies of application to employ Sternat as special counsel and mail to Court for filing, request file stamped copy, and mail document to all parties on service list. | 0.20 | 5.00 |
| Apr-23-02 | TMD | Draft letter to Christian Sternat requesting status update on potential claim against Dale Cudd, Sr. | 0.20 | 5.00 |
| Aug-28-02 | TMD | Draft letter to Clerk of Court requesting claims bar date. | 0.20 | 5.00 |

B00-12065

| | | | | |
|-----------|-----|---|------|-------|
| Oct-15-02 | TMD | Correspondence with C. Sternat and forward copy of Notice and Order Regarding Initial Pre-Trial Procedures in Adversary Proceeding and Scheduling of Management Conference. | 0.20 | 5.00 |
| May-28-03 | TMD | Draft Interim Status Report, letter to Court for filing document and request file stamped copies from Court. | 0.40 | 10.00 |
| Jul-18-03 | TMD | Letter to Clerk of Court on filing motion and request for file stamped copy. | 0.20 | 5.00 |
| Aug-19-03 | TMD | Pull Claims docket and enter claims in bankruptcy system. | 0.50 | 12.50 |
| Aug-28-03 | TMD | Call from Debbie Theriot, Clerk of Court, on upcoming hearing in Adversary Proceeding, and whether we want to file motion to continue since trustee will be out of town. | 0.20 | 5.00 |
| Sep-04-03 | TMD | Correspondence to C. Sternat on filing Motion for Continuance. | 0.20 | 5.00 |
| Apr-05-04 | TMD | Open Financial File and deposit funds into money market account. | 0.30 | 7.50 |
| Apr-06-04 | TMD | Deposit funds into money market account. | 0.20 | 5.00 |
| Apr-30-04 | TMD | Reconcile bank account and post interest. | 0.20 | 5.00 |
| May-10-04 | TMD | Deposit funds into money market account. | 0.20 | 5.00 |
| May-31-04 | TMD | Reconcile bank account and post interest. | 0.20 | 5.00 |
| Jun-08-04 | TMD | Deposit funds into money market account. | 0.20 | 5.00 |
| Jun-30-04 | TMD | Reconcile bank account and post interest. | 0.20 | 5.00 |
| Jul-23-04 | TMD | Draft application to Abandon Property; convert document to pdf and e-file document with court; make copies of document and mail to all parties on service list. | 0.70 | 17.50 |
| Jul-23-04 | TMD | Enter status of abandonment in bankruptcy | 0.20 | 5.00 |

program, per Order entered.

| | | | | |
|-----------|-----|--|------|-------|
| Jul-23-04 | TMD | Draft objection to claim of Hardin County; notarize affidavit; convert document to pdf and e-file document with court; make copies of document and mail to all parties on service list. | 0.60 | 15.00 |
| Jul-23-04 | TMD | Run Matrix report and draft service list and labels for filing of abandonment document. | 0.30 | 7.50 |
| Jul-30-04 | TMD | Reconcile bank account and post interest. | 0.20 | 5.00 |
| Aug-09-04 | TMD | Correspondence with Michael Reed, attorney for County of Hardin, requesting he withdraw their claim since they advised that they will not contest the trustee's objection. | 0.30 | 7.50 |
| Aug-10-04 | TMD | Correspondence with C. Sternat to advise we are preparing file for closing, and he should file his application for compensation with the bankruptcy court. | 0.20 | 5.00 |
| Aug-11-04 | TMD | Call from Christian Sternat re his Fee Application. | 0.30 | 7.50 |
| Aug-12-04 | TMD | Call from Debbie, clerk at court, inquiring on whether trustee will withdraw his objection to County of Hardin claim since they withdrew their claim. Advised her that we will withdraw our objection. | 0.20 | 5.00 |
| Aug-17-04 | TMD | Draft withdrawal of objection to claim of Hardin County; convert document to pdf and e-file document with court; make copies of document and mail to all parties on service list. | 0.60 | 15.00 |
| Aug-24-04 | TMD | Call from Christian Sternat on distribution to unsecured creditors; advised I will need to run an interim report and call him back. | 0.10 | 2.50 |
| Aug-26-04 | TMD | Ran interim report to answer Mr. Sternat's inquiry on distributions to unsecured creditors; called his office and spoke with Melanie who will report my findings to Mr. Sternat. | 0.40 | 10.00 |
| Aug-31-04 | TMD | Reconcile bank account and post interest. | 0.20 | 5.00 |

| | | | | |
|-----------|-----|--|------|--------|
| Sep-30-04 | TMD | Reconcile bank account and post interest. | 0.20 | 5.00 |
| Oct-15-04 | TMD | Transfer funds into checking account; write check for Christian Sternat per Order entered on 9/17/04. | 0.20 | 5.00 |
| Oct-15-04 | TMD | Open checking account. | 0.30 | 7.50 |
| Oct-29-04 | TMD | Reconcile bank account and post interest. | 0.20 | 5.00 |
| Nov-03-04 | TMD | Begin TFR preparation; transfer money market funds into checking account and post accrued interest. | 2.00 | 130.00 |
| Nov-04-04 | TMD | Draft letter to Clerk of Court to request bill of court costs; convert letter to pdf form and e-file with Court. | 0.10 | 2.50 |
| Nov-04-04 | TMD | Finalize TFR preparation. | 2.00 | 130.00 |

| | | | |
|---------------------------|--------------|-------------|---------------|
| FEE SUMMARY: | Hours | Rate | Amount |
| Teresa M. Diez (Clerical) | 9.70 | \$25.00 | \$242.50 |
| Teresa M. Diez(Lgl Asst) | 4.00 | \$65.00 | \$260.00 |
| Karen Morgan (Clerical) | 1.30 | \$25.00 | \$32.50 |

RESUME OF THE PARALEGAL ASSISTANT TO THE TRUSTEE

Karen Morgan

Employed by the Trustee September 7, 1997 through September 14, 2001. Has 3 years prior legal experience in various areas of law.

Her duties performed for the Trustee include loading information into the case management system when files are received, set-up of files, filing, preparation of Trustee's Report of No distribution, preparation of various correspondence between Trustee and interested parties, answer telephone calls regarding routine questions, assisting with the location, collection and disposition of assets, assisting in the collection of sale proceeds and accounts receivable, answering questions from creditors, opening bank accounts, securing Tax Id Nos., preparing deposits and disbursement checks, posting deposits and disbursements into computer, reconciling bank statements, verifying receipts against bank statements, organizing files, preparation of objections to claims, preparation of various miscellaneous and other legal documents, mailing notices, preparation of semi-annual reports, preparation of Trustee's Final Reports and Request for Compensation and preparation of Trustee's Supplemental Final Reports.

RESUME OF THE PARALEGAL ASSISTANT TO THE TRUSTEE

Teresa M. Diez

Employed by the Trustee on September 17, 2001 to Present. Having over 8 years experience in Chapter 13 Trustee offices in Houston and Corpus Christi, Texas and bankruptcy law for a creditor law firm in Houston, Texas, and Chapter 7 Trustee office in Houston, Texas.

Her duties performed for the Trustee are as follows: the loading of information into the case management system when files are received. Setting up of files and financial files, filing, and document filing with the court. Preparing of Trustee's Report of No Distribution and various correspondence between Trustee and interested parties. Answer telephone calls regarding routine questions. Assisting with the location, collection and disposition of assets. Assisting in the collection of sale proceeds and accounts receivable. Answering questions from creditors, opening bank accounts, securing Tax Identification numbers, preparing deposits and disbursement checks, posting deposits and disbursements into the computer, reconciling monthly bank statements, verifying receipts against bank statements, organizing files in preparation of creditor meetings. Preparing objections to claims and other legal documents. Mailing notices. Preparing of Semi-Annual reports, Trustee's Final Reports, Requests for Compensation, and Trustee's Supplemental Final Reports. Assisting the Trustee with filing motions on litigation settlements and fee applications for special counsel. Filing of Motions to employ accountants, attorney's, and special counsel.

SCHEDULE C
EXPENSES OF ADMINISTRATION

Case Name: **CUDD, DALE L.**

Case Number: **00-12065**

| Description | Amount Claimed | Amount Allowed | Previously Paid | Due |
|--|-------------------|-------------------|-------------------|-------------------|
| 1. 11 U.S.C. § 507(a)(1) Court Costs and Fees | | | | |
| Clerk of the Court Costs (includes adversary and other filing fees) | \$150.00 | \$150.00 | \$0.00 | \$150.00 |
| 2. 11 U.S.C. § 503(b)(1)(A) Preservation of estate (Trustee operated Debtor's business) | | | | |
| | | | | |
| 3. 11 U.S.C. § 503(b)(1)(B),(C) Post Petition taxes and related penalties | | | | |
| | | | | |
| 4. 11 U.S.C. § 503(b)(2) Compensation and Reimbursement | | | | |
| Special Counsel for Trustee Fees | \$1,500.00 | \$1,500.00 | \$1,500.00 | \$0.00 |
| Special Counsel for Trustee Expenses | \$283.45 | \$283.45 | \$283.45 | \$0.00 |
| Trustee Expenses | \$666.64 | \$666.64 | \$0.00 | \$666.64 |
| Trustee Compensation | \$1,390.69 | \$1,390.69 | \$0.00 | \$1,390.69 |
| 5. U.S. Trustee Fees | | | | |
| | | | | |
| 6. Other (list) | | | | |
| | | | | |
| | | | | |
| Totals | \$3,990.78 | \$3,990.78 | \$1,783.45 | \$2,207.33 |

Priority Claims are listed in Schedule E _____
There are no Priority Claims X

SCHEDULE D
SECURED CLAIMS

Case Name: **CUDD, DALE L.**

Case Number: **00-12065**

| Claim No. | Claimant Name | Amount Claimed | Amount Allowed | Amount Disallowed | Previously Paid | Due |
|---------------|-------------------------------------|-------------------|----------------|-------------------|-----------------|---------------|
| 1 | COUNTY OF HARDIN (POC Withdrawn) | \$5,170.72 | \$0.00 | \$5,170.72 | \$0.00 | \$0.00 |
| TOTALS | | \$5,170.72 | \$0.00 | \$5,170.72 | \$0.00 | \$0.00 |

* = Includes Interest in amount Due

SCHEDULE E

PRIORITY CLAIMS OTHER THAN ADMINISTRATIVE EXPENSES
IN THE FOLLOWING ORDER OF PRIORITY

Case Name: **CUDD, DALE L.**

Case Number: **00-12065**

| Priority Description | Claimant Name | Amount Claimed | Amount Allowed | Amount Paid | Due |
|----------------------|---------------|----------------|----------------|-------------|-----|
| None | | | | | |

Unsecured Total: \$6,658.32

* = Includes Interest in amount Due

Eastern District of Texas Claims Register

00-12065 Dale L. Cudd
Bankruptcy Judge Bill Parker
Debtor Name: CUDD,DALE L.

| | | |
|---------------------------|--|---|
| Claim No: 1 | Creditor Name: County of Hardin McCreary Veselka Bragg & Allen PC c/ Michael Reed PO Box 26990 Austin TX 78755 | Last Date to File Claims: Last Date to File (Govt): 03/02/2003 Filing Status: Docket Status: Late: N |
| Claim Date: 09/27/2002 | Amends Claim No: Amended By Claim No: | Duplicates Claim No: Duplicated By Claim No: |
| Class | Amount Claimed | Amount Allowed |
| Secured | \$5170.72 | |
| Total | \$5170.72 | |
| Description: | | |
| Remarks: | | |

| | | |
|---------------------------|--|---|
| Claim No: 2 | Creditor Name: Discover Financial Services PO Box 8003 Hilliard OH 43026 | Last Date to File Claims: Last Date to File (Govt): 03/02/2003 Filing Status: Docket Status: Late: N |
| Claim Date: 09/27/2002 | Amends Claim No: Amended By Claim No: | Duplicates Claim No: Duplicated By Claim No: |
| Class | Amount Claimed | Amount Allowed |
| Unsecured | \$5054.48 | |
| Total | \$5054.48 | |
| Description: | | |
| Remarks: | | |

| | | |
|---------------------------|--|---|
| Claim No: 3 | Creditor Name: Community Bank & Trust 700 Calder Ave P O Box 26016 Beaumont Texas 77720 | Last Date to File Claims: Last Date to File (Govt): 03/02/2003 Filing Status: Docket Status: Late: N |
| Claim Date: 10/17/2002 | Amends Claim No: Amended By Claim No: | Duplicates Claim No: Duplicated By Claim No: |
| Class | Amount Claimed | Amount Allowed |
| Unsecured | \$1603.84 | |
| | | |

| | | |
|---------------------|------------------|--|
| Total | \$1603.84 | |
| <i>Description:</i> | | |
| <i>Remarks:</i> | | |

Claims Register Summary

Case Name: Dale L. Cudd
Case Number: 2000-12065
Chapter: 7
Date Filed: 11/02/2000
Total Number Of Claims: 3

| | Total Amount Claimed | Total Amount Allowed |
|-----------------------|-----------------------------|-----------------------------|
| Unsecured | \$6658.32 | |
| Secured | \$5170.72 | |
| Priority | | |
| Unknown | | |
| Administrative | | |
| Total | \$11829.04 | |

| PACER Service Center | | | |
|-----------------------------|-----------------|-------------------------|--|
| Transaction Receipt | | | |
| 11/03/2004 14:00:53 | | | |
| PACER Login: | rb0382 | Client Code: | |
| Description: | Claims Register | Search Criteria: | 00-12065 Filed or Entered From: 11/4/1999 Filed or Entered To: 11/3/2004 |
| Billable Pages: | 1 | Cost: | 0.07 |

**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF TEXAS
BEAUMONT DIVISION**

IN RE:

CUDD, DALE L.

DEBTOR(S)

§
§
§
§
§
§

CASE NO. 00-12065

CHAPTER 7

TRUSTEE'S REPORT OF PROPOSED FINAL DISTRIBUTION

The undersigned Trustee of the bankruptcy estate hereby submits to the Court and to the United States Trustee this Report of Proposed Final Distribution.

1. Court has entered Orders which have become final, and which dispose of all objections to proofs of claim, all objections to the Trustee's Final Report, all applications for compensation, and all other matters which must be determined by the Court before final distribution can be made.

2. The Trustee proposes the following final distribution of the funds of the bankruptcy estate, and will make the distribution unless written objection thereto is filed with the Court and served upon the Trustee and upon The States Trustee.

| | | |
|---|------------|------------|
| 1. Balance on Hand | | \$4,623.43 |
| 2. Administrative Expenses to Be Paid Includes Trustee Fee & Expense | \$2,207.33 | |
| 3. Secured Claims To Be Paid | \$0.00 | |
| 4. Priority Claims To Be Paid | \$0.00 | |
| 5. Unsecured Claims To Be Paid | \$2,416.10 | |
| 6. Other Distributions To Be Paid | \$0.00 | |
| 7. Total Distributions To Be Made (Sum of Lines 2 through 6) | | \$4,623.43 |
| 8. Zero Balance After All Distributions (Line 1 less Line 7) | | \$0.00 |

/s:/ DANIEL JACOB GOLDBERG

*See attached schedule of payees and amounts

Daniel Jacob Goldberg, Trustee

TIME AND BILLING EXPENSE REPORT

Page No: 1

Case No.: 00-12065
Case Name: CUDD, DALE L.

Trustee Name
Daniel Jacob Goldberg

| DATE | RATE | QUANTITY | BILLABLE TOTAL | TOTAL | BILLING STATUS |
|---------------------------|--|------------------------|-------------------|-----------------|----------------|
| Matter Code : | | | | | |
| Project Category : | | | | | |
| Clerical | | | | | |
| 11/04/2004 | \$25.00 | 9.70 | \$242.50 | \$242.50 | Billable |
| | Description: Teresa M. Diez | | | | |
| 11/04/2004 | \$25.00 | 1.30 | \$32.50 | \$32.50 | Billable |
| | Description: Karen Morgan | | | | |
| | | Clerical Total: | \$275.00 | \$275.00 | |
| CMRRR | | | | | |
| 11/04/2004 | \$1.00 | 5.34 | \$5.34 | \$5.34 | Billable |
| | Description: TFR Bank Statements | | | | |
| 11/04/2004 | \$1.00 | 5.34 | \$5.34 | \$5.34 | Billable |
| | Description: TDR Bank Statements | | | | |
| | | CMRRR Total: | \$10.68 | \$10.68 | |
| Copies | | | | | |
| 12/20/2000 | \$0.25 | 6.00 | \$1.50 | \$1.50 | Billable |
| | Description: Research: Property information. | | | | |
| 12/28/2000 | \$0.25 | 15.00 | \$3.75 | \$3.75 | Billable |
| | Description: 341 Report | | | | |
| 01/16/2002 | \$0.25 | 4.00 | \$1.00 | \$1.00 | Billable |
| | Description: C. Sternat | | | | |
| 02/04/2002 | \$0.25 | 48.00 | \$12.00 | \$12.00 | Billable |
| | Description: Employ C. Sternat | | | | |
| 02/05/2002 | \$0.25 | 3.00 | \$0.75 | \$0.75 | Billable |
| | Description: Court docket | | | | |
| 04/23/2002 | \$0.25 | 2.00 | \$0.50 | \$0.50 | Billable |
| | Description: C. Sternat | | | | |
| 08/28/2002 | \$0.25 | 2.00 | \$0.50 | \$0.50 | Billable |
| | Description: Claims Bar Date Request | | | | |
| 05/27/2003 | \$0.25 | 9.00 | \$2.25 | \$2.25 | Billable |
| | Description: Interim Status Report | | | | |
| 07/23/2004 | \$0.25 | 144.00 | \$36.00 | \$36.00 | Billable |
| | Description: Abandon | | | | |
| 07/23/2004 | \$0.25 | 32.00 | \$8.00 | \$8.00 | Billable |
| | Description: Obj POC-1 | | | | |
| 07/23/2004 | \$0.25 | 1.00 | \$0.25 | \$0.25 | Billable |
| | Description: Creditor Matrix | | | | |
| 08/17/2004 | \$0.25 | 16.00 | \$4.00 | \$4.00 | Billable |
| | Description: W/D Obj 1 | | | | |
| 11/04/2004 | \$0.25 | 37.00 | \$9.25 | \$9.25 | Billable |
| | Description: Financial File. | | | | |
| | | Copies Total: | \$79.75 | \$79.75 | |
| Fax | | | | | |
| 12/20/2000 | \$0.25 | 3.00 | \$0.75 | \$0.75 | Billable |
| | Description: C. Sternat | | | | |
| 12/20/2000 | \$0.25 | 4.00 | \$1.00 | \$1.00 | Billable |
| | Description: Christi U. | | | | |
| 12/20/2000 | \$0.25 | 4.00 | \$1.00 | \$1.00 | Billable |
| | Description: Christian Sternat | | | | |
| 03/01/2001 | \$0.25 | 4.00 | \$1.00 | \$1.00 | Billable |
| | Description: C. Sternat | | | | |
| 01/22/2002 | \$0.25 | 10.00 | \$2.50 | \$2.50 | Billable |
| | Description: C. Sternat | | | | |

TIME AND BILLING EXPENSE REPORT

Page No: 2

Case No.: 00-12065
Case Name: CUDD, DALE L.

Trustee Name
Daniel Jacob Goldberg

| DATE | RATE | QUANTITY | BILLABLE TOTAL | TOTAL | BILLING STATUS |
|------------------|--------------------------------------|--------------------------------|-------------------|-----------------|----------------|
| 01/23/2002 | \$0.25 | 10.00 | \$2.50 | \$2.50 | Billable |
| | Description: C. Sternat | | | | |
| 10/15/2002 | \$0.25 | 4.00 | \$1.00 | \$1.00 | Billable |
| | Description: C. Sternat | | | | |
| 10/30/2002 | \$0.25 | 1.00 | \$0.25 | \$0.25 | Billable |
| | Description: C. Sternat | | | | |
| 01/21/2003 | \$0.25 | 1.00 | \$0.25 | \$0.25 | Billable |
| | Description: C. Sternat | | | | |
| 02/24/2003 | \$0.25 | 1.00 | \$0.25 | \$0.25 | Billable |
| | Description: C. Sternat | | | | |
| 09/04/2003 | \$0.25 | 6.00 | \$1.50 | \$1.50 | Billable |
| | Description: C. Sternat | | | | |
| 02/22/2004 | \$0.25 | 10.00 | \$2.50 | \$2.50 | Billable |
| | Description: C. Sternat | | | | |
| 02/24/2004 | \$0.25 | 9.00 | \$2.25 | \$2.25 | Billable |
| | Description: C. Sternat | | | | |
| 03/31/2004 | \$0.25 | 1.00 | \$0.25 | \$0.25 | Billable |
| | Description: C. Sternat | | | | |
| 03/31/2004 | \$0.25 | 3.00 | \$0.75 | \$0.75 | Billable |
| | Description: C. Sternat | | | | |
| 08/09/2004 | \$0.25 | 2.00 | \$0.50 | \$0.50 | Billable |
| | Description: M. Reed | | | | |
| 08/10/2004 | \$0.25 | 1.00 | \$0.25 | \$0.25 | Billable |
| | Description: C. Sternat | | | | |
| | | Fax Total: | \$18.50 | \$18.50 | |
| Paralegal | | | | | |
| 11/04/2004 | \$65.00 | 4.00 | \$260.00 | \$260.00 | Billable |
| | Description: Teresa M. Diez | | | | |
| | | Paralegal Total: | \$260.00 | \$260.00 | |
| Phone | | | | | |
| 03/17/2004 | \$0.10 | 5.00 | \$0.50 | \$0.50 | Billable |
| | Description: D. Martin | | | | |
| | | Phone Total: | \$0.50 | \$0.50 | |
| Postage | | | | | |
| 01/16/2002 | \$0.60 | 1.00 | \$0.60 | \$0.60 | Billable |
| | Description: C. Sternat | | | | |
| 02/04/2002 | \$0.37 | 6.00 | \$2.22 | \$2.22 | Billable |
| | Description: Employ C. Sternat | | | | |
| 04/23/2002 | \$1.00 | 0.37 | \$0.37 | \$0.37 | Billable |
| | Description: C. Sternat | | | | |
| 08/28/2002 | \$0.37 | 1.00 | \$0.37 | \$0.37 | Billable |
| | Description: Claims Bar Date Request | | | | |
| 05/27/2003 | \$0.37 | 1.00 | \$0.37 | \$0.37 | Billable |
| | Description: Interim Status Report | | | | |
| 07/23/2004 | \$0.60 | 24.00 | \$14.40 | \$14.40 | Billable |
| | Description: Abandon | | | | |
| 07/23/2004 | \$0.60 | 4.00 | \$2.40 | \$2.40 | Billable |
| | Description: Obj POC-1 | | | | |
| 08/17/2004 | \$0.37 | 4.00 | \$1.48 | \$1.48 | Billable |
| | Description: W/D Obj 1 | | | | |
| | | Postage Total: | \$22.21 | \$22.21 | |
| | | Project Category Total: | \$666.64 | \$666.64 | |
| | | Matter Code Total: | \$666.64 | \$666.64 | |
| | | EXPENSE SUMMARY: | \$666.64 | | |

PROPOSED CLAIM DISTRIBUTION REPORT

Page No: 1

Trustee Name: Daniel Jacob Goldberg
Case Number: 00-12065
Case Name: CUDD, DALE L.
Claims Bar Date: 12/02/2002

Distribution Date: 11/04/2004
Distribution Amt: \$4623.43
Tax ID: 76-6196604
Date: 11/4/2004

| Claim No | Creditor Name: | Claim Date: | Claim Class | Transaction Category | Proposed Distribution | | | | | |
|----------|---|-------------|--|----------------------|-----------------------|--------------|-----------|------------|------------|----------|
| | | | | | Amount Allowed | Gross Amount | Deduction | Net Paid | Percentage | Interest |
| 1 | DANIEL JACOB GOLDBERG Chapter 7 Trustee Houston TX 77056-1912 | 11/04/2004 | 507(a) 1 -- 503(b) ADMINISTRATIVE -- TRUSTEE COMPENSATION | 2100-000 | \$0.00 | \$1,390.69 | \$0.00 | \$1,390.69 | 100.00% | \$0.00 |
| | Notes: | | | | | | | | | |
| | DANIEL J. GOLDBERG, CH 7 TRUSTEE 2 Riverway Suite 700 Houston TX 77056 | 07/03/2003 | 507(a) 1 -- 503(b) ADMINISTRATIVE -- TRUSTEE EXPENSES | 2200-000 | \$666.64 | \$666.64 | \$0.00 | \$666.64 | 100.00% | \$0.00 |
| 4 | U.S. BANKRUPTCY COURT Eastern District of Texas - Beaumont Division 300 Willow, Suite 100 Beaumont TX 77701 | 11/04/2004 | 507(A) 1 -- Court Cost | 2700-000 | \$150.00 | \$150.00 | \$0.00 | \$150.00 | 100.00% | \$0.00 |
| | Notes: Per Bill of Court Costs | | | | | | | | | |
| | DISCOVER FINANCIAL SERVICES PO Box 8003 Hilliard OH 43026 | 09/27/2002 | UNSECURED | 7100-900 | \$5054.48 | \$1834.12 | \$0.00 | \$1834.12 | 36.29% | \$0.00 |
| 3 | COMMUNITY BANK & TRUST 700 Calder Ave P O Box 26016 Beaumont TX 77720 | 10/17/2002 | UNSECURED | 7100-000 | \$1603.84 | \$581.98 | \$0.00 | \$581.98 | 36.29% | \$0.00 |
| | Notes: Acct #9999837 | | | | | | | | | |
| | TOTALS: | | | | \$7474.96 | \$4623.43 | \$0.00 | \$4623.43 | | \$0.00 |

**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF TEXAS
BEAUMONT DIVISION**

IN RE:

CUDD, DALE L.

DEBTOR(S)

§
§
§
§
§
§

CASE NO. 00-12065

CHAPTER 7

**ORDER ALLOWING TRUSTEE'S FINAL APPLICATION FOR COMPENSATION AND
APPROVING TRUSTEE'S FINAL REPORT AND PROPOSED DISTRIBUTION**

ON THIS DAY came on for consideration the Trustee's Final Report filed by Daniel Jacob Goldberg, the duly appointed Chapter Trustee. The Court finds that notice of this hearing has been given as required by the Bankruptcy Rules. Upon due consideration, the Court finds that cause exists which justifies the entry of the following order.

IT IS THEREFORE ORDERED that the Chapter 7 Trustee's final application for Compensation in the amount of **\$1,390.69** and for reimbursement of expenses in the amount of **\$666.64 is Granted**.

IT IS FURTHER ORDERED that the Trustee's Final Report is approved as submitted by the Chapter 7 Trustee, including approval of the payment of the following fees and charges assessed against the Estate under Chapter 123 of title 28 of the United States Code.

FEES/CHARGES

PROPOSED PAYMENT

| | |
|---|----------|
| Clerk of the Court Costs (includes adversary and other filing fees) | \$150.00 |
|---|----------|

IT IS FURTHER ORDERED that the Chapter 7 Trustee shall make final distribution of the amount set forth in the Trustee's Final Report as approved by this Court and shall file a Supplemental Final Report and Account together with such bank statements as are necessary to document a zero balance in all Estate accounts, following compliance with Section 347(a) of the Bankruptcy Code and Bankruptcy Rule 3011, if applicable.

SIGNED this the ____ day of _____, 2004.

BANKRUPTCY JUDGE